

to waive section 302(f) of the Congressional Budget Act of 1974, as amended, with respect to Harkin Amendment No. 3144, to amend part B of the Individuals with Disabilities Education Act to reach full Federal funding of such part in 6 years. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, as amended, was sustained, and the amendment thus falls. **Pages S5326–27, S5344**

A unanimous-consent-time agreement was reached providing that following morning business on Thursday, May 13, 2004, Senate resume consideration of the bill, that there be 30 minutes equally divided with respect to Gregg (for Santorum) Amendment No. 3149; that it be in order for Senator Bingaman to offer one relevant second-degree amendment to Amendment No. 3149; that the only other amendment in order be a manager's amendment; that following the disposition of the amendments, there be 20 minutes of debate remaining on the bill. **Page S5356**

Messages From the House: **Page S5369**

Measures Referred: **Page S5369**

Executive Communications: **Pages S5369–71**

Executive Reports of Committees: **Page S5371**

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Statements on Introduced Bills/Resolutions:
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Additional Statements: **Pages S5367–69**

Amendments Submitted: **Pages S5377–80**

Authority for Committees to Meet: **Pages S5380–81**

Privilege of the Floor: **Page S5381**

Record Votes: Two record votes were taken today. (Total—93) **Pages S5344, S5345**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:31 p.m., until 9:30 a.m., on Thursday, May 13, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5382.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded hearings to examine proposed budget estimates for fiscal year 2005 for the Department of Defense, after receiving testimony from Donald H. Rumsfeld, Secretary, and Larry Lanzillotta, Acting Under Secretary (Comptroller), both of the Depart-

ment of Defense; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

NOMINATIONS

Committee on Armed Services: On Tuesday, May 11, Committee ordered favorably reported the nominations of William A. Chatfield, of Texas, to be Director of Selective Service, Jerald S. Paul, of Florida, to be Principal Deputy Administrator, National Nuclear Security Administration, Mark Falcoff, of California, to be a Member of the National Security Education Board, Dionel M. Aviles, of Maryland, to be Under Secretary of the Navy, and Tina Westby Jonas, of Virginia, to be Under Secretary of Defense (Comptroller).

TELECOMMUNICATIONS POLICY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the future of telecommunications policy, focusing on a view from the industry relating to mobility and broadband networks, after receiving testimony from Ivan Seidenberg, Verizon Communications, Washington, D.C.; Brian L. Roberts, Comcast Corporation, Philadelphia, Pennsylvania; Scott Ford, ALLTEL Corporation, Little Rock, Arkansas; C. Garry Betty, EarthLink, Inc., Atlanta, Georgia; and Delbert Wilson, Central Texas Telephone Cooperative, Goldthwaite, Texas, on behalf of the National Telecommunications Cooperative Association.

GASOLINE

Committee on Environment and Public Works: Committee concluded a hearing to examine the environmental regulatory framework affecting oil refining and gasoline policy, focusing on domestic refining capacity, the fuel supply, reformulated gasoline, low-sulfur fuels, and reducing incentives for market manipulation, after receiving testimony from Bob Slaughter, on behalf of the National Petrochemical and Refiners Association, and the American Petroleum Institute, A. Blakeman Early, American Lung Association, and Mark Cooper, Consumer Federation of America, on behalf of the Consumers Union, all of Washington, D.C.; Michael Ports, Ports Petroleum Company, Inc, Wooster, Ohio, on behalf of the Society of Independent Gasoline Marketers of America and the National Association of Convenience Stores, and John R. Doshier, Jacobs Consultancy, Houston, Texas.

AFGHANISTAN

Committee on Foreign Relations: Committee concluded a hearing to examine continuing challenges in Afghanistan, focusing on allied efforts to defeat Al-

Qaeda and to assist Afghanistan in building democracy and rebuilding its economy, after receiving testimony from Mark L. Schneider, International Crisis Group, Robert M. Perito, United States Institute of Peace, and David C. Isby, all of Washington, D.C.; and Thomas E. Gouttierre, University of Nebraska Center for Afghanistan Studies, Omaha.

DIPLOMA MILLS

Committee on Governmental Affairs: Committee concluded hearings to examine allegations relevant to the issuance of bogus degrees, focusing on tax payer dollars subsidizing diploma mills, and the development of a government-wide policy to identify and discourage the use of bogus degrees, after receiving testimony from Sally L. Stroup, Assistant Secretary of Education for Postsecondary Education; Stephen C. Benowitz, Associate Director, Human Resources Products and Services, Office of Personnel Management; Alan Contreras, Administrator, Oregon Student Assistance Commission Office of Degree Authorization, Eugene; Lieutenant Commander Claudia Gelzer, U.S. Coast Guard Detachment, Senate Committee on Governmental Affairs; and Andrew Coulombe, Ventura, California.

TRIBAL SELF-GOVERNANCE ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, after receiving testimony from David W. Anderson, Assistant Secretary for Indian Affairs, and William Sin-

clair, Director, Office of Self-Governance and Self-Determination, both of the Department of the Interior; D. Fred Matt, Confederated Salish and Kootenai Tribes, Pablo, Montana; Philip Baker-Shenk, Holland and Knight, Washington, D.C.; and Geoffrey Strommer, Hobbs, Strauss, Dean, and Walker, Portland, Oregon.

SATELLITE HOME VIEWER EXTENSION

Committee on the Judiciary: Committee concluded a hearing to examine S. 2013, to amend section 119 of title 17, United States Code, to extend satellite home viewer provisions, focusing on the statutory licensing regimes for over-the-air broadcast signals, royalty rates, and the transition to digital television, after receiving testimony from David O. Carson, General Counsel, Copyright Office, Library of Congress; Charles W. Ergen, EchoStar Communications Corporation, Littlewood, Colorado; Bruce T. Reese, Bonneville International Corporation, Salt Lake City, Utah, on behalf of the National Association of Broadcasters; Eddy W. Hartenstein, DIRECTV Group, Inc., El Segundo, California; Fritz Attaway, Motion Picture Association of America, Inc., Washington, D.C.; and John King, Vermont Public Television, Colchester.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 17 public bills, H.R. 4341–4357; and 4 resolutions, H. Con. Res. 421, and H. Res. 639–641 were introduced.

Pages H2917–18

Additional Cosponsors:

Pages H2918–19

Reports Filed: Reports were filed today as follows:

H. Con. Res. 414, expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown (Rept. 108–485). **Page H2917**

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page H2817**

Chaplain: The prayer was offered today by Rev. Cynthia L. Hale, Pastor, Ray of Hope Christian Church in Decatur, Georgia. **Page H2817**

Amending the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements: The House passed H.R. 4279, to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, by a yeas-and-nays vote of 273 yeas to 152 nays, Roll No. 163. **Pages H2821–29, H2838–53**